CITY OF HELENA REGULAR CITY COMMISSION MEETING October 19, 2015 6:00 P.M.

Time & Place

A regular City Commission meeting was held on Monday, October 19, 2015 at 6:00 p.m., in the Commission Chambers, 316 N. Park Avenue, Helena, Montana.

Members Present

Mayor Smith indicated for the record that Commissioners Elsaesser, Ellison, Haque-Hausrath and Haladay were present. City Manager Ron Alles, City Attorney Thomas Jodoin and Deputy City Clerk Robyn Brown were present. Others present were Dick Sloan representing the Helena Citizens Council.

Pledge of Allegiance Mayor Smith asked those persons present to please stand and join him in the pledge of allegiance.

Minutes

The minutes of the regular City Commission Meeting of October 5, 2015 will be considered at the November 2nd Meeting.

Consent Agenda

CONSENT AGENDA:

A. Claims

City Manager Ron Alles recommended approval of the claims.

Public comment

Mayor Smith asked for public comment, none was received.

Motion

<u>Commissioner Elsaesser moved approval of item A on the consent agenda.</u> Commissioner Haladay seconded the motion. All voted aye, motion carried.

Bid Award

BID AWARD:

A. Tenmile Water Treatment Plan – Programmable Logic Controller (PLC)

Water/Wastewater Superintendent Don Clark reported the Water/Wastewater Treatment Division went out for legal bid requesting proposals for professional (RFP) integration and programming services for the Tenmile Water Treatment Plant for the PLC upgrade. One RFP was received from MSE Technology Applications (MSE) for \$203,660.00. Replacing the PLC at the TMTP is imperative to continue to operate the water plant. The current PLC is original equipment from when the plant was built in 1990. The program crashes frequently and struggles to communicate with existing equipment.

Staff is recommending MSE review preliminary design, and specify hardware and software for procurement by the City. MSE will convert the existing PLC program to the new PLC program, design new HMI screens and coordinate installation of new PLC, plant shutdown and start up of new PLC.

Replacement of the 25-year old PLC with the new one eliminates the programming issues the plan has been experiencing, and will also be able to communicate with the new sodium hypochlorite disinfection system and the proposed backwash/recycle loop.

Public comment

Mayor Smith asked for public comment, none was received.

Motion

Commissioner Haladay moved to accept the bid from MSE Technology Applications, Inc. in the amount of \$203,660.00 for the PLC Upgrade at the Tenmile Water Treatment Plan and authorized the City Manager to sign the contract for their services.

Commissioner Ellison seconded the motion. All voted aye, motion carried.

Communications

COMMUNICATIONS/PROPOSALS FROM COMMISSIONERS

Commissioner Elsaesser thanked staff, the Zoning Commission and Planning Board for their work organizing the public meeting for the proposal to create a TIF District for the 6th Ward/Railroad District area.

He commented he is still very interested in the establishment of a quiet zone and urged Montana Rail Link to make safety improvements to Roberts Avenue which would allow the City to implement the zone without the substantial costs of installing wayward horns. He recommended the Commission formally request the consultant review such options.

Commissioner Elsaesser also reported on a commemoration for Centennial Trail West held on Friday, October 16th to celebrate the culmination of several major aspects necessary to connect the trail to Spring Meadow Lake Park.

Mayor Smith announced HCTV will be holding their annual membership meeting on October 22, 2015 at 6:00p.m.

Report of the City Attorney

REPORT OF THE CITY ATTORNEY

Attorney Jodoin gave a very detailed update on the City's water rights case and stated he would provide the Commission with a copy of Judge Tucker's most recent ruling on the case.

Report of the City Manager

REPORT OF THE CITY MANAGER

City Manager Alles announced a public meeting regarding the proposal to create a TIF District in the area of the 6th Ward neighborhood would be held on Wednesday, October 21st at the Helena College of Technology in Room 202 at 7:00 p.m.

Report from the Helena Citizens Council

REPORT FROM THE HELENA CITIZENS COUNCIL

HCC member Dick Sloan reported due to advertising and articles from the press, the HCC will make significant gains in its number of Council members following the November 3rd election.

Council member Sloan spoke to the forthcoming implementation of the City's curbside recycling program and commended the Commission for their work to make the program a realization.

Regular Items

REGULAR ITEMS:

A. CONSIDER THE PRELIMINARY PLAT FOR THE GREEN MEADOW MINOR SUBDIVISION CREATING THREE LOTS AND STREET RIGHT-OF-WAY (ROW) FROM LOT 4A OF COS# 3035465.

Staff Report

Planner Lucy Morell-Gengler reported the applicant is requesting preliminary plat approval for the Green Meadow Subdivision, a three-lot first minor subdivision of Lot 4A of COS# 3035465 located adjacent to the city. The City Commission denied the applicant's initial request for annexation and subdivision on August 24, 2015. On August 27, 2015,

upon review of the record, the applicant submitted a request to the City Manager asking the City Commission to reconsider their annexation and subdivision applications. On October 5, 2015 the City Commission passed a resolution of intention to annex the subject property and scheduled review of the subdivision preliminary plat for October 19, 2015. The draft Findings of Fact were revised to reflect those actions.

The subject 20-acre undeveloped property would be divided into proposed Lot 1 containing 5.69 acres, Lot 2 containing 3.90 acres, Lot 3 containing 9.73 acres, and street ROW. The property is bisected by Crystal Springs Creek thus a 200-foot stream setback is provided on both sides of this Creek. Over 6 acres, which includes the creek setback, is proposed to be donated to the City for open space. Green Meadow Drive, Benton Avenue, and Sandstone Way will provide access to the proposed lots. Water and wastewater will be provided by extending existing City infrastructure.

Subdivision of this property would promote the orderly extension of City services and infrastructure within the Urban Standards Boundary. It would promote urban density development in close proximity to services, shopping, and employment opportunities. Also, moderate density development close to services, shopping, and employment could reduce vehicle miles traveled.

Discussion

Commissioner Elsaesser asked when the appropriate time would be for the applicant to apply for an approach permit from MDT. Planner Morell-Gengler explained it is a lengthy process, the applicant typically applies at the same time of preliminary plat application; however, the permit is rarely issued within the 35-day timeframe the City is under to review and present the preliminary plat for decision by the Commission. The permit must be issued prior to consideration of the final plat. If it were not issued by MDT, a new Traffic Impact Study (TIS) must be performed to provide revised access to the development.

Commissioner Haque-Hausrath asked if there would be nonmotorized access surrounding the parkland. Planner Gengler explained non-motorized access will be available from the south and west of the subdivision and motorized access will come from the street located south of the property. Planner Gengler noted in actuality there are three street right-of-ways that will provide access to the open space.

Commissioner Haque-Hausrath asked for clarification regarding the location of easements required by the Commission via approval of the Resolution of Intention to Annex, including amended conditions for approval, on October 5th. Ms. Morell-Gengler explained those easements will be shown on the final plat to demonstrate how they have met the conditions required of the development.

Commissioner Haladay asked who would be responsible for maintaining the easements contained in the subdivision into the future. Attorney Jodoin replied that was a concern of his during the hearing for the resolution of intention to annex this property. He reviewed the options available to the City to require the maintenance be performed and recommended language be included in the Findings of Fact that states the applicant is responsible for ongoing maintenance of the easements.

Public comment

Mayor Smith called for public comment.

Mark Brook, Morrison-Maierle Engineering, representing the applicant; spoke in support of the preliminary plat. He noted it was stated during the October 5, 2015 Commission Meeting that the

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applicant would install and maintain the subject easements. Additionally, City Code requires property owners to maintain sidewalks adjacent to public right-of-way; this too will ensure compliance with maintenance obligations by the developer.

Mr. Brook urged the Commission to vote favorably on the proposed preliminary plat and stated he feels this subdivision will be an asset to the community.

Motion

Commissioner Ellison moved conditional approval of the preliminary plat for the Green Meadow minor subdivision creating three lots and street ROW and to adopt the Findings of Fact and the conditions contained therein for property legally described in the Findings of Fact. Commissioner Elsaesser seconded the motion.

Discussion

Commissioner Elsaesser asked if Mr. Brook's testimony would serve as a formal acknowledgement of maintenance responsibility by the applicant. Attorney Jodoin explained it is difficult to attach requirements to broad public access easements, noting the decision on how to accomplish the formal assignment of maintenance is at the pleasure of the Commission.

Commissioner Elsaesser indicated he would support the preliminary plat and believes the residents of the subdivision will appreciate and utilize the trails being required of the development, which is why it is very important they are maintained.

Commissioner Haque-Hausrath stated she still remains concerned over the lack of public right-of-way contained in the subdivision and also with no clear written guarantee of who will construct and maintain the easements. She expressed concerns over the proposed donation of 6 acres of open space available only by motorized access to it. She feels the subdivision does not meet the City's Subdivision Regulations and indicated she would vote in opposition to the proposal.

Commissioner Haladay expressed his recurring concern over the design of the subdivision, liability issues and lack of record to explain the decisions made regarding the design of the proposed development.

Vote

Motion carried 3-2, with Commissioners Haque-Hausrath and Haladay voting no.

B. CONSIDER A RESOLUTION AMENDING SPECIAL IMPROVEMENT LIGHTING DISTRICT (SILD) NO. 221 TO ALTER THE BOUNDARIES AND ADD LOTS 15 & 16 OF PAUL REBER PROPERTIES P.U.D.

Staff Report

Administrative Services Director Glenn Jorgenson reported SILD 221 was created by the City Commission on February 23, 2009 by Resolution No. 19628. The legal description of the lighting district included Blocks 12, 13, 14 and 17 of the Paul Reber Properties P.U.D.

On March 28 and July 16, 2014 there were two amendments made to the condo declaration that amended the boundaries of the condominium association to include Block 16 and change the number of condominiums from 53 to 45, four of which are in Block 16 and not in the lighting district.

Per state law 7-12-4354, MCA, a minor modification to be made by adding properties or lights if the additions increase the average assessment within the maintenance district by 3% or less in a fiscal year

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is allowed. The average assessment will decrease from \$435.68 per property to \$388.32 with approval of the proposed amendment.

Staff is recommending SILD 221 be amended to include Blocks 15 and 16 of Paul Reber Subdivision, as they both benefit from the existing lighting district. Block 15 has not been added legally to the condominium association. However, it is anticipated to be added in the future, and does benefit from the lights. No additional lights are being added at this time.

Director Jorgenson recommended approval to amend the SILD as all properties benefiting from the lights will pay their proportionate share.

Public comment

Mayor Smith called for public comment; none was received.

Motion

Commissioner Elsaesser moved approval of a resolution amending Resolution No. 19628 that created Special Improvement Lighting District No. 221 to alter the boundaries of and add lots 15 and 16 of the Paul Reber Properties P.U.D to SILD No. 221 in the City of Helena, Montana. Commissioner Haladay seconded the motion. All voted aye, motion carried. Res #20220

C. CONSIDER A RECOMMENDATION FROM THE LEWIS & CLARK COUNTY HERITAGE PRESERVATION AND TOURISM COUNCIL FOR THE CONFEDERATE FOUNTAIN INTERPRETIVE SIGN LANGUAGE AND DISCLAIMER OPTIONS.

Staff Report

City Manager Alles reported the Lewis & Clark County Heritage Preservation and Tourism Council (HPTC) has submitted draft language for the Confederate Fountain interpretive sign along with disclaimer options, per a request from the City Commission. The fountain is located in Hill Park.

HPTC Vice-Chair Donna Torgerson explained how the Council crafted the proposed language and the reasoning behind the possible inclusion of a disclaimer on the signage. She noted the City may need to pay for construction of the new interpretive sign as it will probably not meet the standards required for property included on the National Register of Historic Places.

The proposed language and various options for disclaimer wording is listed below:

The Confederate Fountain in Hill Park Proposed Interpretive Signage & Disclaimer Options for the Helena City Commission

"This granite fountain, designed by Helena architect George Carsley, son of a Union Civil War veteran from Wisconsin. Carsley was inspired in his design by the Butt-Millett fountain in Washington, D.C., a memorial to Titanic victims, and that may explain why it resembles a lighthouse. The brass cap interior was originally illuminated. The Fountain was dedicated by the Winnie Davis Chapter of the United Daughters of the Confederacy (UDC) on September 5, 1916. The Confederate Fountain's inscription reads, "A Loving Tribute to Our Confederate Soldiers" on one side, and "By the Daughters of the Confederacy in Montana, A.D. 1916" on the other. The fountain was commissioned at a cost of \$2,000 by members of the UDC who moved to Helena after the Civil War. Southerners came to Montana for the gold (discovered in Helena in 1864), to avoid service

in the War, or after serving their duty, as well as to begin new lives, and Montana place names such as Confederate Gulch and Virginia City reflect their presence.

Three Helena women from the local Winnie Davis Chapter of the Daughters of the Confederacy, whose organization had been involved with the Women's Park Association in landscaping Hill Park, took part in the fountain's dedication. Miss Georgia C. Young, in her dedication speech, "lauded the present-day American spirit, a spirit of union with no feeling between the old North and South that caused such bitterness and sorrow years ago." The motive in planning the gift of the fountain, as noted in periodicals of the time, was to "... beautify Hill Park." Miss Young was born in Georgia and came to Helena in 1885 at the age of 28 after completing nurse training in Connecticut, her mother's home state. She was Superintendent of St. Peter's Hospital for 22 years as well as one of its founders.

The United Daughters of the Confederacy, founded in 1894 by an elite group of white women, and limited in membership to the same, has its roots in local Ladies Memorial Associations that were formed in numerous municipalities in the South shortly after the Civil War to bury Confederate dead, as Confederate soldiers were not allowed to be buried with Union soldiers in national cemeteries established by the Federal government. Initially, they organized volunteers and raised funds to bury dead, and erect grave markers and memorials in cemeteries. Once this was completed, their work shifted to caring for Confederate veterans, as well as their widows, and eventually aid to their families.

As Confederate veterans aged and died, the UDC's mission evolved to encompass memorials to Confederate soldiers in public spaces, such as city squares and other prominent public spaces. These monuments served as much more than just memorials to the dead. They were a crucial component in the UDC's campaign to restore honor to defeated Confederate veterans and in the South's quest for vindication after the Civil War that their cause was just, their defeat was not in vain, and that their soldiers were not traitors or rebels. The UDC also openly supported the early Ku Klux Klan in its mission of white supremacy.

The UDC also shifted its focus by placing pro-Southern history textbooks in schools throughout the South. They were proponents of the Lost Cause doctrine after the Civil War, whose primary tenets included: that the South's superior military skill and valor was outnumbered and outgunned by Northern soldiers and industry; that the war was fought solely over the constitutional issue of states' rights, rather than slavery; that slavery was a benevolent institution of chivalrous planters caring for faithful and subservient slaves; and that the Confederacy's cause was noble and defended the South's honor. Contemporary scholars posit that the Lost Cause belief helped facilitate the post-war reunion between white Southerners and Northerners at the expense of the nation's black populace. The traditions of the Lost Cause, which focused on prescribed gender and race roles, appealed to a nation experiencing racial, political, and industrial turmoil.

The UDC's mission of restoring honor and vindication of Confederate soldiers, and gaining Northern respect for the South, lasted up until World War I, when Southern soldiers' contributions in the Spanish-American War and WWI established their heroism and honor in the eyes of the nation."

Disclaimer Option No. 1 - Pam Attardo

"The City of Helena has provided this sign for educational and interpretive purposes of a memorial placed here after a difficult war. The City in no way endorses any of the former or current beliefs of the UDC or any of its chapters".

Disclaimer Option No. 2 - Donna Torgerson

Several members of the HTC have presented options for additional language to serve as a disclaimer on signage for the DOC fountain in Hill Park. These options are being forwarded for your review as a result of the HTC recognizing that the decision of adding such language will be that of the City commission, not the HTC. As a member of the HTC, I felt that I should also verbalize the option of not including a disclaimer at all. I would advocate not adding a disclaimer to the narrative describing the fountain's history. I feel it is unnecessary and simply providing the facts about the object best acts in the spirit of the signage program for listings on the National Register. I believe a disclaimer would also set an unfortunate precedent potentially causing us to revisit other sites' signage to distance ourselves from acts that may have been committed in the past or mentalities once held in bygone times. I agree with my fellow council members that 2015 Helena does not condone the acts of or share the mentality of the Daughters of the Confederacy or the antebellum south. With few exceptions, I believe we are an accepting, tolerant and forward-thinking community and that holds true regardless of words placed on a sign. I respectfully submit this as an additional option to be considered with disclaimer language.

Disclaimer No. 3 - Hal Jacobson

"As Helena marks the 100th anniversary of the Confederate Fountain, the event is viewed with somber reflection.

There is not a darker period in the history of the United States than that of the feudal antebellum southern states; or as it came to known in it's waning days -The Confederacy. The enslavement, egregious mistreatment and blatant discrimination of African Americans will forever be a tragic hallmark of this period. Therefore we denounce all that this part of our history was, and in turn embrace a climate of acceptance toward all people regardless of race, religion or sexual orientation."

Disclaimer No. 4 - Hal Jacobson

"Although this fountain was dedicated as a memorial to Confederate soldiers, 21st century Helenans realize the basic principles of the Confederacy were grounded in egregious racial and human injustices. Accordingly, the City of Helena strives to achieve tolerance toward all people regardless of race, religion or sexual orientation."

Disclaimer No. 5 - Mary Jane Bradbury

"In 2015, the creation of this interpretive sign has been prompted by controversies resulting from recent violence against black Americans. It is intended to provide insight to the legacy of the UDC and to the unsettled, often violent aftermath of the Civil War that still existed in the early 1900s. One hundred years after the dedication of this fountain in 1916, this nation still struggles with racial prejudice and injustice. The past cannot be changed. Understanding it, however, provides

opportunities to address the fears and concerns that confronted previous generations, that confront us today, and to heal as a result. One hundred years from now, what will be said about our efforts to create a lasting legacy for the future?"

It was noted approval of the language for the interpretive sign will acknowledge and recognize the work and dedication of the Lewis & Clark County Heritage Preservation and Tourism Council.

Public comment

Mayor Smith called for public comment.

Motion

Commissioner Haque-Hausrath moved to accept the proposed language for the Confederate Fountain Interpretive Sign to be placed in Hill Park as proposed by the HPTC. The new sign shall be located in the general area of the fountain, not affixed to it. Commissioner Elsaesser seconded the motion.

Friendly Amendment

Commissioner Elsaesser offered a friendly amendment to indicate the location of the sign as general and that it not be affixed to the fountain. Commissioner Haque-Hausrath accepted the amendment. (see above motion)

Comment

Commissioner Haque-Hausrath commented on the public reaction to the proposal to install a new sign explaining the fountain's origin, thanked citizens for becoming involved and thanked Ms. Attardo and the members of the HPTC for diving into the project, even though there were heated views on all sides of the issue.

Mayor Smith commended Historic Preservation Officer Pam Attardo and the HPTC for their work on the language regarding the fountain. He indicated this item has caused him to look at history differently. He stated he would support the language as proposed; however, he would not support the inclusion of a disclaimer on the signage.

Commissioner Haladay spoke in support of the proposal and updated signage and thanked Ms. Attardo and the members of the HPTC for their work on the project.

Commissioner Ellison discussed the history behind the idea to update the signage for the fountain. He stated the majority of comments he has received from the public regarding this issue are requests that nothing about the fountain be changed. He pointed out there was no testimony given on the proposed language and updated interpretive sign. He indicated he would not support any changes to the signage for the fountain, as he is concerned over the precedent it could set. If every interpretive sign around town were re-written because citizens were offended by the history of the object related to the sign, it could result in new signage for every historical monument, artifact and artwork displayed in Helena. He reiterated concern for the precedent this action may set and the majority of comments he received in opposition of the update to the signage.

He acknowledged the proposed language is beautifully written and thanked the HPTC for their work on the project.

Vote

Motion carried 4-1, with Ellison voting no.

Motion

Commissioner Haque-Hausrath moved to accept the proposed Disclaimer Option #1 written by Ms. Attardo for the Confederate Fountain Interpretive Sign to be placed in Hill Park. Commissioner Haladay seconded the motion.

Commissioner Elsaesser noted he would not support adding any disclaimer to the sign and likened it to the concerns of Commissioner Ellison about setting a precedent by moving forward with an action like this. He stated he does not feel disclaimers should be added to any buildings, properties or monuments in the City of Helena.

Mayor Smith again noted he would not support the inclusion of a disclaimer. He does not feel it is necessary and the word disclaimer is defined as "not taking responsibility", which he absolutely does not feel applies to this issue.

Commissioner Haladay stated he spoke with Ms. Attardo about the inclusion of a disclaimer on the signage and she indicated the disclaimers had been requested by the members of the HPTC; she herself would not recommend that any disclaimer be added to the signage. He spoke to the issues currently affecting the nation as a whole and commented on how this statue is related to a larger movement by citizens of the United States at that time.

Commissioner Ellison indicated he would not vote favorably for any disclaimer to be added; however, out of all of the options, he is most partial to Ms. Attardo's.

Commissioner Haque-Hausrath stated she does feel the language approved for the interpretive sign is enough; however, the disclaimer would add value by indicating the monument is standing for history, not because the City of Helena supports white supremacy and/or any other form of racism.

Vote on disclaimer

Motion failed 1-4, with Mayor Smith and Commissioners Ellison, Elsaesser and Haladay voting no.

D. CONSIDER FIRST PASSAGE OF AN ORDINANCE TO PROVIDE AND PAY FOR STREET IMPROVEMENTS WITHIN THE EXISTING STREET MAINTENANCE DISTRICT NO. 1 BY AMENDING CHAPTER 7 OF TITLE 8 OF THE HELENA CITY CODE.

Staff Report

City Attorney Thomas Jodoin reported Section 7-1-8 of the Helena City Code established the existing Street Maintenance District No. 1 that encompasses the entire City. That ordinance was adopted in 2004 pursuant to the authority granted in §7-12-4401, MCA. Because the provisions of City Code only include street maintenance, state law does not allow Street Maintenance District funds to be used on street improvements within the Street Maintenance District. However, §§7-12-4405 and 7-12-4428 MCA, specifically authorized the expenditure of street maintenance district funds on street improvements within the district if the City commission adopts an ordinance for that specific purpose.

By adopting the proposed ordinance, the City will be able to use street maintenance assessment funds for improvements to streets; however, the assessment may be increased to fund said improvements.

Public comment

Mayor Smith called for public comment; none was received.

Discussion

Commissioner Haladay expressed trepidation for the creation of a new fee, assessment and/or district. He spoke of the failure of the proposal to create a Non-motorized Transportation District one year ago and discussed the differences between that district and the Street Maintenance District under consideration tonight.

He asked what option citizens have to protest the district. Attorney Jodoin explained notice of the City's intent to pass this ordinance will be published in the newspaper and citizens can provide written protests and comments in opposition. He indicated he would research additional options available to the public and report back to the Commission.

Commissioner Elsaesser commended the creation of this district, stating it is a responsible use of City funds and many streets can use improvements, including ADA overlays/improvements. He stated he feels it is a very appropriate district for the City and will create a historical record of how the backlog of improvements are being dealt with.

Commissioner Haque-Hausrath commended the Commission's desire to implement this approach to funding much-needed non-motorized and motorized improvements.

Mayor Smith asked Manager Alles to elaborate on what kind of budget amendments will be needed to implement this ordinance. Manager Alles explained how staff and the Commission will use this mechanism to identify and allocate funding to make various improvements: ADA, non-motorized and motorized.

Commissioner Haladay stated this district is the first time the City will be able to set a desired timeframe for performance of large road construction projects and also allow for the backlog of smaller projects to be dug into. This will essentially contain two districts, one for critical motorized improvements and the other for critical non-motorized improvements. He noted no project can move forward unless a majority of the Commission approves it during the budget process, and needs will be assessed throughout the year should a new issue or need arise. Citizens will be able to see their rates going directly to transportation projects being performed in the community.

Commissioner Haladay spoke to the failure to create a fire district proposed several years ago and indicated he would be proposing to bring it forward again and hopes to receive the support of three Commissioners to do so.

Commissioner Elsaesser expressed support for a budget amendment to be implemented this year to begin using the funding created by approval of this ordinance as soon as possible.

Motion

Commissioner Elsaesser moved approval for first passage of an ordinance to provide and pay for street improvements within Street Maintenance District No. 1 by amending section 7-1-8 of Helena City Code, and set a public hearing date of November 2, 2015. Commissioner Ellison seconded the motion. All voted aye, motion carried. Ord #3213

Public Communications

PUBLIC COMMUNICATIONS

No public communications were given.

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MEETINGS OF INTEREST

The next Administrative Meeting is October 28, 2015 and the next Commission Meeting is November 2, 2015.

Commissioner Haque-Hausrath announced the Commission would be meeting with the HSD on November 5th at 1:00 p.m. at the

Montana School Board Association offices.

Adjournment

There being no further business to come before the Commission, the meeting was adjourned at 7:35 p.m.

/S/ JAMES E. SMITH

Mayor

ATTEST:

/S/ DEBBIE HAVENS

Clerk of the Commission